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REMARKS

Claims 1-34 are pending. Claims 1-34 are rejected. Reconsideration and withdrawal of the rejections to the claims are respectfully requested.

Rejections under 35 U.S.C. §102(e) by Janevski

Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 2004/0008645 A1 to Janevski et al. ("Janevski").

Applicants respectfully disagree with the Examiner. *While the Janevski et al. reference discloses a wireless handoff, Applicants are claiming a specific process of achieving a wireless handoff; the claimed process is not found within Janevski et al.* The Examiner's position is equivalent to saying "a reference discloses a drug, therefore all pharmaceuticals are anticipated." Clearly, this is not the case.

Applicants are claiming:

initiating an initiated call from the WLAN switch to a subscriber device via the wireless communication system;
receiving the initiated call from the wireless communication system;
switching a connection with the wireless local area network to the initiated call from the wireless communication system. (Emphasis added).

As argued in the previous response, the subscriber device initiates an initiated call via the WLAN switch. (Note that this is not shown at all in Janevski et al., and that the reference does not even conceive of having the subscriber device initiating a call via the WLAN switch to itself.) The subscriber device then receives the initiated call from the wireless communication system. (Again, not described at all in Janevski et al.) Finally, a connection with the wireless local area network is switched to the initiated call from the wireless communication system. Claims 1-34 are not anticipated by Janevski for the following further arguments.

Janevski is directed to a method for facilitating a handoff between cellular and wireless local area networks. In FIGS. 9 and 10, Janevski describes the process of facilitating a handoff from WLAN access to direct cdma 2000 access. As mobile terminal 18 begins to leave the coverage area of WLAN access, radio technology sensor and switcher (RTSS) (included in

mobile terminal 18) will **detect** the loss or fading of the WLAN radio signal. RTSS then assures that cdma 2000 interface is dormant or inactive, then **triggers** a dormant-to-active procedure via cdma 2000. **Base station 26 receives the trigger and sends a message** to BSC 22 for setting up a radio channel for connecting mobile terminal 18 and PCF 24. With a subsequent procedure, mobile 18 is directly served by cdma 2000 access via base station 26 and BSC 22 via PCF. (Paragraph [0033]). Accordingly, mobile terminal 18 **does not receive an initiated call from itself**. Further, the switching from WLAN access to cdma 2000 access occurs when PCF 24 initiates an intra-PDSN, inter-PCF handoff with PDSN 20. Nothing in Janevski's description or drawings shows "switching a connection with the wireless local area network to the initiated call from the wireless communication system." (Emphasis added). Accordingly, Claim 1 is distinguished from Janevski for at least the reasons set forth above.

Claims 2-16 depend from Claim 1 and are also distinguished from Janevski for at least the reasons set forth above in connection with Claim 1.

Similar arguments set forth above in connection with Claim 1 are also applied to Claims 17, 33 and 34. Claims 17, 33 and 34 are therefore distinguished from Janevski.

Claims 18-32 depend from Claim 17 and are therefore distinguished over Janevski for at least the reason set forth above in connection therewith.

Rejections under 35 U.S.C. §102(e) by Jones

Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,010,300 to Jones et al. ("Jones"). Claims 1-34 are not anticipated by Jones for the following arguments.

Jones is directed to a method of handing off an ongoing wireless telecommunication session with a mobile station. Jones includes two separate communication sessions, upstream communication (i.e., outgoing data) described in steps 502-510 and downstream communication (i.e., incoming data) described in steps 512-520.

For the upstream communication, mobile station 116 uses the EVRC standard encodes outgoing data (step 502) and transmits the **outgoing EVRC data** to BTS 422 (step 504). BTS

422 then relays to outgoing EVRC data to BSC 426 (step 506). **BSC 426 converts the outgoing EVRC data into outgoing PCM data (step 508) and transmits PCM data to gateway 420 (step 510).**

For the downstream communication, **gateway 420** relays PCM data to public wireless network (step 512). BSC 426 receives and converts incoming PCM data into incoming EVRC data (step 514). BSC 426 then transmits incoming EVRC data to mobile station 116 (step 516). Step 518 describes how mobile station registers WLAN.

During registration, Jones uses mobile station 116 transmits a **request** for synchronization information from wireless access point 424. Mobile station 116 receives the **synchronization information (NOT the request)**. Mobile station 116 synchronizes with wireless access point 422 and then authenticates with the WLAN. Then the registration of WLAN is finished. After registration, WLAN signals gateway 420 to route data to mobile station 116 via WLAN (step 420).

Nothing in steps 516-520 shows that mobile station 116 **receives an initiated call from itself**. Further, Jones switches from the wireless public network to the wireless public network when **WLAN signals gateway 420 to route data to mobile station 116**. Nothing in Jones' description or drawings shows "switching a connection with the wireless local area network to the initiated call from the wireless communication system." (Emphasis added). Accordingly, Claim 1 is distinguished from Jones for at least the reasons set forth above.

Claims 2-16 depend from Claim 1 and are also distinguished from Jones for at least the reasons set forth above in connection with Claim 1.

Similar arguments set forth above in connection with Claim 1 are also applied to Claims 17, 33 and 34. Claims 17, 33 and 34 are therefore distinguished from Jones.

Claims 18-32 depend from Claim 17 and are therefore distinguished over Jones for at least the reason set forth above in connection therewith.

In view of the foregoing, Claims 1-34 are distinguished from the art of record and the rejections to the claims should be withdrawn. Claims 1-34 are therefore allowable for at least the reasons set forth above.

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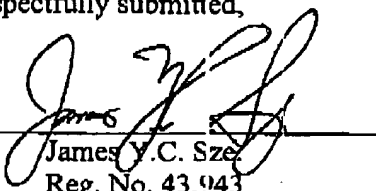
CONCLUSION

For the reasons described and supported above, Applicants respectfully submit that all pending claims are now in condition for allowance. That said, should any issues or questions remain, the Examiner is encouraged to telephone the undersigned at (619) 744-2293 so that they may be promptly resolved. In the unlikely event the transmittal letter is separated from this document and the Office determines that an extension and/or other relief is required, Applicants petition for any required relief, including extensions of time, and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to the credit card disclosed in form PTO-2038 filed with this document.

Respectfully submitted,

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